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Raymond Elvis Gazer, Esq.

April 26th, 2022

Via Electronic Court Filing
Honorable Katherine Polk Failla
United States District Court
Southern District of New York
40 Foley Square

MEMO ENDORSED

Re: United States of America versus Lucious Garnett
S1 21 Cr. 414 (KPF)

Your Honor,

I write to request the temporary release of my client, Lucious Garnett, pursuant to 18 U.S.C. § 3142(i) to attend his mother's funeral on Thursday, April 28th. The services are expected to begin at approximately 9:00 a.m. and last into the afternoon. They will take place at the Ortiz Funeral Home located at 300 East 104th Street in Manhattan. No prior bail application has been made, and Mr. Garnett has been detained on consent since his initial appearance and arraignment on February 24th, 2022. We had been preparing for a bail application, but the unfortunate passing of Mr. Garnett's mother necessitated this expeditious request.

The last, unnumbered paragraph of § 3142(i) provides:

The judicial officer may, by subsequent order, permit the temporary release of the person, in the custody of a United States marshal or another appropriate person, to the extent that the judicial officer determines such release to be

necessary for preparation of the person's defense or for
another compelling reason.

(*id.*) (emphasis added). Mr. Garnett will consent to any
condition that the Court may impose.

Respectfully submitted,


Raymond Elvis Gazer, Esq.

For the reasons stated above, the Court hereby WAIVES Defendant Lucious Garnett's appearance at the conference scheduled in this matter for April 28, 2022, at 11:00 a.m. to allow Mr. Garnett to virtually attend his mother's funeral service.

It is further ORDERED that on **April 28, 2022**, during the window set forth above, the Warden, or other official in charge of the Westchester County Jail, produce prisoner Lucious Garnett at a suitable location within the facility for the purpose of facilitating his virtual attendance at his mother's funeral proceedings.

Mr. Garnett's counsel is directed to contact the Warden at the Westchester County Jail to coordinate the logistics of Mr. Garnett's attendance. The Court will also forward a copy of this endorsement to the U.S. Marshals Service.

The Court extends its condolences to Mr. Garnett and his family.

The Clerk of Court is directed to terminate the motion at docket entry 83.

Dated: April 26, 2022
New York, New York

SO ORDERED.



HON. KATHERINE POLK FAILLA
UNITED STATES DISTRICT JUDGE